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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,188	10/18/2001	Chia-Hsin Li	AP110HO	4860

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EXAMINER

LESNIEWSKI, VICTOR D

ART UNIT PAPER NUMBER

2152

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/045,188	Applicant(s) LI ET AL.	
	Examiner Victor Lesniewski	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 12/5/2005 has been placed of record in the file.
2. Claims 1, 2, 4, 9, 10, 12, 13, 15, 16, 20, 21, and 25 have been amended.
3. Claims 1-27 are now pending.
4. The applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the following new grounds of rejection.

Continued Examination Under 37 CFR 1.114

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous office action has been withdrawn pursuant to 37 CFR 1.114. The applicant's submission filed on 12/5/2005 has been entered.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-7, 9-13, 15, and 17-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spyker et al. (U.S. Patent Number 6,571,389), hereinafter referred to as

Spyker, in view of Grate et al. (U.S. Patent Number 5,956,483), hereinafter referred to as Grate, further in view of Giroir et al. (U.S. Patent Number 6,854,006), hereinafter referred to as Giroir.

8. Spyker disclosed a method for improving the manageability and usability of Java environments. In an analogous art, Giroir disclosed a system for allowing target applications to be locally selected and easily accessed. Both systems deal with the downloading of Java-based applications. In an analogous art, Grate disclosed a system for allowing users to make function calls from a web browser to a local application. Although Grate's system does not strictly deal with Java, his location application on the client device is akin to those downloaded applications of Spyker and Giroir.

9. Concerning claims 1, 9, 15, 20, and 25, Spyker did not explicitly disclose using a network client application on the client device in the fashion claimed including the feature wherein the local application receives the parameters from the network client application by listening to the network port. However, methods for passing parameters from a browser to a local application via the client's network port were well known in the art as evidenced by Grate. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Spyker by adding the ability to utilize a network client application on the client device in the fashion claimed including the feature wherein the local application receives the parameters from the network client application by listening to the network port as provided by Grate. Here the combination satisfies the need for a flexible mechanism for passing information between a web browser and other applications running on the same user computer. See Grate, column 1, lines 31-35. This rationale also applies to those dependent claims utilizing the same combination.

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10. Further concerning claims 1, 9, 15, 20, and 25, the combination of Spyker and Grate did not explicitly disclose determining if the latest version of an application is present on a client.

Although Spyker states the ability to retrieve a latest version of the properties for an application (see column 4, lines 64-67), he is not explicit about checking the version of the application.

However, a major focus of Giroir's system is to check for the latest version on the client. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Spyker and Grate by adding the ability to determine if the latest version of an application is present on a client as provided by Giroir. Here the combination satisfies the need for a Java environment that is easier to use. See Spyker, column 4, lines 3-10. This rationale also applies to those dependent claims utilizing the same combination.

11. Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as a computer readable media are rejected under the same rationale applied to the described claim.

12. Thereby, the combination of Spyker, Grate, and Giroir discloses:

- <Claims 1 and 20>

A method for installing and launching a network application on a client device, through a distributed network, the application contained on a server, the method comprising: using a network client application on the client device to access the server through the network (Grate, column 4, lines 41-50); using the network client application to select parameters of the application (Grate, column 2, lines 14-28); determining if the latest version of the application is present on the client device (Giroir, column 9, lines 17-28); downloading

and installing an archive file from said network to said client device containing the latest version of the application if the latest version of the application is not present on the client device (Spyker, column 12, lines 30-50); launching the application on the client device (Spyker, column 14, lines 42-44); and using the network client application to pass parameters to a network port in communication with said network (Grate, column 2, lines 29-37); having the application listen to the port and implement the parameters intended for the application (Grate, column 2, lines 37-44).

Claim 20 also discloses limitations discussed in claim 2 below.

- <Claim 2>

The method as recited in claim 1, wherein the application is configured to access native libraries of the archive file (Spyker, column 15, lines 12-20).

- <Claims 3 and 22>

The method as recited in claim 2, wherein the port is a TCP/IP port (Spyker, column 7, line 66 through column 8, line 3 and Grate, column 2, lines 37-39).

- <Claims 4 and 23>

The method as recited in claim 1, wherein the application is a Java application, the Java application configured to be executed by a Java virtual machine of an operating system of the client device (Spyker, column 1, lines 22-44).

- <Claim 5>

The method as recited in claim 1, wherein the archive file is a .cab file, the .cab file including the application and a control module (Spyker, column 3, line 65 through column 4, line 2).

- <Claim 6>

The method as recited in claim 5, wherein the application is a Java application and the .cab file includes native libraries, the native libraries configured to standardize an output of the Java application across platforms (Spyker, column 15, lines 12-20 where the use of the JAR type is akin to the use of a CAB type file).

- <Claims 7 and 24>

The method as recited in claim 1, wherein selecting parameters of the application further includes: linking to an HTML page the HTML page including an object containing version information of an archive file (Spyker, column 9, lines 23-33 and column 10, lines 13-24 and Grate, column 3, lines 45-52).

- <Claim 9>

A method for running a network program on a client, the network program accessed through a web browser on the client, the method comprising: using the web browser to access a server via a software network port on the client (Grate, column 4, lines 41-50), said server containing the network program (Spyker, column 11, lines 43-47); using the web browser to select parameters of the application (Grate, column 2, lines 14-28); linking to a page on the server, the page containing version information of a server archive file (Spyker, column 10, lines 13-24 and column 11, line 56 through column 12, line 29); determining if a client archive file is present on the client, the determining further including; inspecting the client archive file if the client archive file is present to ascertain if the client archive file is the same version as the server archive file (Giroir, column 9, lines 17-28); and downloading the server archive file to the client if the client

archive file is not present or if the client archive file is not the same version as the server archive file (Spyker, column 12, lines 30-50); launching the network program on the client (Spyker, column 14, lines 42-44); using the web browser to pass the parameters to the port (Grate, column 2, lines 29-37); and having the network program obtain the parameters by listening to the port (Grate, column 2, lines 37-44).

- <Claim 10>

The method as recited in claim 9, wherein the network program passes process data to the port, and the web browser listens to the port to receive the processed data (Grate, column 13, lines 6-13).

- <Claim 11>

The method as recited in claim 9 further including: executing the application, the executing further including, accessing native libraries, the native libraries installed by the archive file (Spyker, column 15, lines 12-20).

- <Claim 12>

The method as recited in claim 9, wherein the web browser passes the parameters individually to the port, and the port is a TCP/IP port and the application is configured to listen to the TCP/IP port so that the application can receive the parameters passed to the port (Grate, column 2, lines 29-44).

- <Claim 13>

The method as recited in claim 9, wherein the archive file is a .cab file, the .cab file containing a control module, the control module configured to pass the parameters to the port (Spyker, column 3, line 65 through column 4, line 2).

- <Claim 15>

A system for installing and launching an application through a network, the system comprising: a server (Spyker, figure 2, item 47), the server including an application contained in a server archive file (Spyker, column 8, lines 57-59), the application including a plurality of options (Spyker, column 9, lines 34-52), the server configured to link to a page containing version information of the server archive file (Spyker, column 9, lines 23-33 and column 10, lines 13-24), the server further configured to allow a user to select the options of the application (Spyker, column 11, lines 42-43); a web browser (Spyker, column 1, lines 45-48 and Grate, column 4, lines 41-50), and a client (Spyker, figure 2, item 10 and Grate, column 4, lines 41-50), the client in communication with the server through a network port by means of the web browser (Spyker, figure 2, item 50 and Grate, column 4, lines 41-50), the client inspected by the server to determine if a client archive file is present and current by comparing the version information of the server archive file with version information of the client archive file (Giroir, column 9, lines 17-28 and Spyker, column 11, line 56 through column 12, line 29), wherein if the client archive file is not present or not current, the server archive file is downloaded to the client, the client archive file including the application (Spyker, column 12, lines 30-50), the application further configured to listen to the network port such that any of the options selected by a user are transmitted to the application by a control module on the client through the software network port (Grate, column 2, lines 29-44).

- <Claim 17>

The system as recited in claim 15, wherein the application is a Java application

containing printing functionality (Giroir, column 7, lines 59-62).

- <Claim 18>

The system as recited in claim 17, wherein the Java application uses a Java virtual machine of an operating system of the client (Spyker, column 1, lines 22-44).

- <Claim 19>

The system as recited in claim 17, wherein the printing functionality is regulated by native libraries, the native libraries included in the client archive file (Spyker, column 15, lines 12-20).

- <Claim 21>

The computer readable media as recited in claim 20, wherein the program instructions for passing parameters to a port further includes: program instructions for configuring the application to listen to the port; and program instructions for individually sending the parameters over the port, the parameters being sent by a control module (Grote, column 2, lines 29-44).

- <Claim 25>

A method for installing and launching a network application, through a distributed network, the application contained on a server, the method comprising: using a client computing device to establish a communication link through a network port to the server on the network (Spyker, column 11, lines 43-47 and Grote, column 4, lines 41-50); selecting parameters of the application (Grote, column 2, lines 14-28); determining if the latest version of the application is present on a client (Giroir, column 9, lines 17-28); downloading and installing an archive file containing the latest version of the application

if the latest version of the application is not present on the client (Spyker, column 12, lines 30-50); launching the application (Spyker, column 14, lines 42-44); passing the parameters from within the client computing device to the network port (Grate, column 2, lines 29-37); having the application on the client computer device monitor the network port for said parameters, and implement the parameters (Grate, column 2, lines 37-44).

- <Claim 26>

The method of claim 25, wherein: the client computing device uses an web browser to establish said communication link with the server (Spyker, column 11, lines 43-47 and Grate, column 4, lines 41-50); and said application is made independent of said web browser (Spyker, column 8, lines 10-40).

- <Claim 27>

The method of claim 26, wherein said application is a stand-alone Java application having access to native program libraries unimpaired by web browser limitations (Spyker, column 8, lines 10-27 and column 15, lines 12-20).

Since the combination of Spyker, Grate, and Giroir discloses all of the above limitations, claims 1-7, 9-13, 15, and 17-27 are rejected.

13. Claims 8, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spyker in view of Grate in view of Giroir, as applied above, further in view of Schmidt et al. (U.S. Patent Number 6,535,894), hereinafter referred to as Schmidt.

14. The combination of Spyker, Grate, and Giroir disclosed a technique where Java programs can be executed without relying on the use of a browser to provide a run-time environment, in

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which the client can be checked for the latest version before installation. In an analogous art, Schmidt disclosed a method for updating archive files. Both methods deal primarily with archive files in a Java-based networking environment.

15. Concerning claim 8, the combination of Spyker, Grate, and Giroir did not explicitly disclose an object that includes the width and height of a window. However, such objects used to describe the properties of a window in object-oriented programming were well known in the art as evidenced by Schmidt who states the use of these types of objects. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Spyker, Grate, and Giroir by adding the ability to use an object that includes the width and height of a window as provided by Schmidt. Again, the combination satisfies the need for a Java environment that is easier to use. See Spyker, column 4, lines 3-10.

16. Concerning claim 14, the combination of Spyker, Grate, and Giroir did not explicitly disclose the use of a digital signature. However, Schmidt disclosed an archived file that can contain digital signatures. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Spyker, Grate, and Giroir by adding the ability to use digital signatures as provided by Schmidt. Again, the combination satisfies the need for a Java environment that is easier to use. See Spyker, column 4, lines 3-10.

17. Concerning claim 16, the combination of Spyker, Grate, and Giroir did not explicitly disclose the use of INF files within the archived files. However, Schmidt's JAR file, related to a CAB file, contains a sub-directory for INF information that aids in the installation and launching of the application. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Spyker, Grate, and Giroir by adding the

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ability to use INF files as provided by Schmidt. Again, the combination satisfies the need for a Java environment that is easier to use. See Spyker, column 4, lines 3-10.

18. Thereby, the combination of Spyker, Grate, Giroir, and Schmidt discloses:

- <Claim 8>

The method as recited in claim 7, wherein the object includes the width and height of a window of a web browser where the application appears (Schmidt, column 7, lines 59-63).

- <Claim 14>

The method as recited in claim 13, wherein the control module is further configured to be digitally signed (Schmidt, column 9, lines 3-5).

- <Claim 16>

The system as recited in claim 15, wherein the control module individually transmits to the port the options selected by the user (Grate, column 2, lines 29-44), and the client and server archive files are .cab files, the .cab files including .INF files, the .INF files including a launcher application containing the control module (Spyker, column 3, line 65 through column 4, line 2 and Schmidt, column 8, lines 53-67).

Since the combination of Spyker, Grate, Giroir, and Schmidt discloses all of the above limitations, claims 8, 14, and 16 are rejected.

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Conclusion

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987.

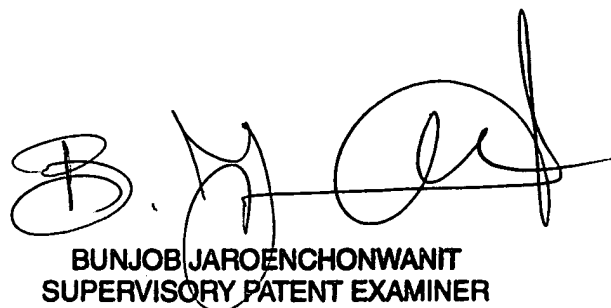
The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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